

Tuesday, May 24, 2016

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

**PRESENT:** Supervisors: Frank R. Mecham, Bruce S. Gibson, Adam Hill, Debbie Arnold, and Chairperson Lynn Compton

**ABSENT:** None

**THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON LYNN COMPTON.**

**Chairperson Compton:** re-orders the agenda to present Item No. 17, the 2016 Weyhrich Leadership Awards before the Consent Agenda.

**Presentations:**

**17.** Presentation of the Richard J. Weyhrich Leadership Scholarship Awards to students. All Districts.

**Ms. Heidi McPherson - San Luis Obispo County Community Foundation and Ms. Kate Miller - San Luis Obispo County Community Foundation, Scholarship Committee:** speak.

**Mr. Julian Crocker – Retired County Superintendent of Schools:** introduces the following Richard J. Weyhrich recipients: Ms. Cassidy Moses, Paso Robles High School; Ms. Kaela Cooper, Templeton High School; Mr. Max Alexis Mireles and Ms. Xue DiMaggio, Coast Union High School; Ms. Katie Chapman-Pinto, Mission College Prep High School; Ms. Mona Panchal, Morro Bay High School; Mr. Joshua Dorman San Luis Obispo High School; Mr. Colin Hayashi, Arroyo Grande High School; Ms. Kaylin Stewart, Central Coast New Tech High School; Ms. Vanessa Veloz, Nipomo High School; Ms. Bayley McKenzie and Ms. Julia Clickard, Atascadero High School, with Supervisors presenting each student with their awards.

**Chairperson Compton:** opens the floor to public comment.

**Mr. Eric Greening and Ms. Sue Warren:** speak. **No action taken.**

**Consent Agenda – Review and Approval:**

**1-16.** This is the time set for consideration of the Consent Agenda.

**Chairperson Compton:** opens the floor to public comment.

The action taken for Consent Agenda items 1 through 16 on the following vote is indicated for each item.

**Motion by:** Frank R. Mecham  
**Second by:** Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Compton, Lynn (Chairperson)	x			
Hill, Adam (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Arnold, Debbie (Board Member)	x			

**Items: Set for Hearing:**

**1.** Setting of a public hearing to consider collecting delinquent service charges on the 2016-17 County property tax bills for County Service Areas 16, (Shandon) and 23 (Santa Margarita). Hearing date set for July 12, 2016. District 1.

**The Board approves as recommended by the County Administrative Officer.**

**Bid Opening:**

2. Letter transmitting revised plans and specifications (Clerk's File) for the Meridian Fire Station Expansion project for Board approval; and advertisement for construction bids and submittal of a resolution making findings pursuant to Public Contract Code Section 3400 designating specific brand or trade name product requirements. The recommended bid opening date is Thursday, June 16, 2016. District 1.

**This item is amended, per the addendum to the agenda, by changing the bid opening date in Recommendation No. 3 to read "June 23, 2016" not "June 16, 2016" and to direct the Clerk to advertise the bid opening no later than June 2, 2016. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board. RESOLUTION NO. 2016-141, adopted.**

**Consent Agenda - Agricultural Commissioner Items:**

3. Request to correct the reappointment expiration date for David Pruitt and Claire Wineman to the Agricultural Liaison Advisory Board. All Districts.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Central Services Items:**

4. Request to amend the Contracting for Services Policy to add a risk assessment to the solicitation process for professional services. All Districts.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Clerk-Recorder Items:**

5. Appointment of Nominees to Central Committees and County Councils In-Lieu of Election for the June 7, 2016, Presidential Primary Election. All Districts.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - District Attorney Items:**

6. Request to accept two Unserved/Underserved Victim Advocacy and Outreach (XV) Program grant agreements in the amount of \$299,070 each per year for two years, from the California Office of Emergency Services (Cal OES) to serve elder victims of crime and crime victims with disabilities populations for the grant period of April 1, 2016 to March 31, 2018, and delegate authority to the District Attorney to sign the grants. All Districts.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Health Agency Items:**

7. Request to approve appointments to and amend the bylaws for the Emergency Medical Care Committee. All Districts.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Information Technology Items:**

8. Request to approve a FY 2016-17 contract change order not to exceed \$280,000 with EMC2 to provide

extended warranty services for a maximum of 12 months to support the recently modernized County Property Tax System. All Districts.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Parks & Recreation Items:**

9. Request to authorize a budget adjustment in the amount of \$2,662 from Fund Center 857 – Quimby Fees to Fund Center 200- Maintenance Projects to allocate Quimby fees to rehabilitate existing neighborhood park and recreation facilities in Quimby Areas 3 and 5. All Districts.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Planning & Building Items:**

10. Submittal of three resolutions to rescind existing Land Conservation Contracts and approve new Land Conservation Contracts, two for the Garcia Trust (AGP2014-00009) and (AGP2014-00010); and one for Faron Bento (AGP2014-00011); all located on Toro Creek Road northeast of the City of Morro Bay; pursuant to the California Land Conservation Act of 1965; exempt from the California Environmental Quality Act. District 2.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NOS. 2016-142, 2016-143 and 2016-144, adopted.**

11. Submittal of resolution approving and accepting an Open-Space Agreement Granting an Open Space Easement to the County of San Luis Obispo for Minor Use Permit/Coastal Development Permit DRC2011-00036 with Buddy Ragged, LLC, a Nevada Limited Liability Company. District 2.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2016-145A, adopted.**

**Consent Agenda - Public Works Items:**

12. Request to approve a FY 2015-16 contract with Disability Access Consultants (DAC), at a fixed fee amount of \$379,870 to prepare a report for Americans with Disability Act (ADA) Self-Evaluation and Transition Plan Update. All Districts.

**Mr. Eric Greening:** speaks.

**The Board approves as recommended by the County Administrative Officer.**

13. Request to approve Tract 2994, a proposed subdivision resulting in 107 residential lots, 1 commercial lot and 8 park/open space lots, by MI Creekside LLC, which has been received and has satisfied all of the conditions of approval that were established at the public hearing on the tentative map; and act on a resolution to approve an open space agreement, to accept an offer of dedication for a public trail easement, and to accept a relinquishment of access, Templeton. District 1.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2016-145, 2016-146 and 2016-147, adopted.**

14. Request to approve Tract 2743, a proposed subdivision and planned unit development resulting in seven residential and one open space lot, by Woodruff Investments Corporation, that has been received and has satisfied all of the conditions of approval that were established at the public hearing on the tentative map, Templeton. District 1.

**The Board approves as recommended by the County Administrative Officer.**

15. Submittal of a resolution authorizing execution of notice of completion and acceptance for the construction of the Tar Spring Creek Bridge on Branch Mill Road; and request authorization to approve

Contract Change Order No. 7 Supplement 1, in the amount of \$30,031. District 4.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2016-148, adopted.**

16. Submittal of a resolution initiating proceedings to levy annual assessments for the Tract 1747 Streetlight Assessment District, Nipomo. District 4.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2016-149, adopted.**

**Public Comment Period:**

18. This is the time set for members of the public to address the Board on matters that are not scheduled on the agenda.

**Ms. Julie Tacker; Mr. Ben DiFatta; Mr. Patrick McGibney; Mr. Keith Wimer; Mr. Chuck Cesena; and Mr. Richard Margetson:** discuss various comments and concerns regarding the Los Osos Wastewater Project and remarks made by the Supervisor Gibson.

**Mr. Tommy Gong – County Clerk-Recorder:** provides an update on the upcoming Presidential Primary Election; voter reminders and deadlines; and states with the closure of the Cayucos Veteran’s Hall, the polling place has been relocated to the Cayucos Community Church.

**Mr. Eric Greening:** urges the Board to reject the half cents sales tax proposal.

**Mr. Gary Kirkland:** addresses why it is difficult to develop workforce and affordable housing.

**Ms. Mardi Geredes and Ms. Sue Warren:** suggests the Dairy Creek Golf Course be used to house the local homeless community through “Hopes Village of SLO”. **No action taken.**

**Hearings:**

19. Hearing to consider public testimony regarding the renewal of the San Luis Obispo County Tourism Business Improvement District (CBID) and continued levy of assessments for FY 2016-17. All Districts.

**Ms. Nikki Schmidt – Administrative Office:** provides the staff presentation (powerpoint).

**Chairperson Compton:** opens the floor to public comment.

**Ms. Laila Kollmann – County Tourism Business Improvement District (CBID) Vice-Chairperson and Mr. Gary Kirkland:** speak.

**Chairperson Compton:** opens the floor to oral or written protests from affected businesses without response.

**Clerk:** states 6 protests have been received from participating business lodging owners, totaling .22 percent, which does not constitute a majority.

**The Board receives public testimony regarding the renewal of the San Luis Obispo County Tourism Business Improvement District (CBID); finds a majority protest has not been lodged per the number’s read into the record; declares the CBID renewed; continues the levy of assessments; and receives and files the 2015-16 Annual Report of the San Luis Obispo CBID.**

**Motion by:** Adam Hill  
**Second by:** Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Compton, Lynn (Chairperson)	x			
Hill, Adam (Vice Chairperson)	x			

Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Arnold, Debbie (Board Member)	x			

**Closed Session Items:**

20. The Board announces they will be going into Closed Session regarding:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: (1) Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of section 54956.9. Number of potential cases: Three; (2) Initiation of litigation pursuant to paragraph (4) of subdivision (d) of section 54956.9. Number of potential cases: Three.

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: Existing Litigation (Gov. Code, section 54956.9(a)). (Formally initiated.) (3) Steinbeck Vineyards #1, LLC, et al. v. County of San Luis Obispo, et al.; (4) Santa Maria Valley Water Conservation District v. City of Santa Maria, et al.

CONFERENCE WITH LABOR NEGOTIATOR (Government Code section 54957.6.) It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator, Tami Douglas-Schatz, concerning the following employee organizations: (5) San Luis Obispo Government Attorney’s Union (SLOGAU); (6) San Luis Obispo County Employees Association – Trades and Crafts (SLOCEA-T&C); (7) Deputy County Counsel’s Association (DCCA); (8) Sheriffs’ Management; (9) San Luis Obispo County Probation Peace Officers’ Association (SLOCPPOA); (10) Deputy Sheriff’s Association (DSA); (11) District Attorney Investigators’ Association (DAIA); (12) San Luis Obispo County Probation Managers’ Peace Officers’ Association (SLOCPMPOA); (13) San Luis Obispo County Employees Association – Public Services, Supervisors, Clerical (SLOCEA – PSSC); (14) Unrepresented Management and Confidential Employees; and (15) Association of San Luis Obispo County Deputy Sheriffs (ASLOCDS).

**Chairperson Compton:** opens the floor to public comment without response.

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: no report required as no final action was taken and the Board goes into Open Public Session.

**Board Business - Public Works - Board Sitting as Flood Control District**

21. Receive an update and provide direction on the implementation of the Sustainable Groundwater Management Act (SGMA) Strategy. All Districts.

**Mr. Wade Horton – Public Works Director; Mr. Mark Hutchinson - Public Works Deputy Director; Ms. Carolyn K. Berg and Ms. Courtney Howard - Public Works:** provide the staff presentation (powerpoint).

**Supervisor Mecham:** addresses the Salinas River Corridor Watershed Study U.S. Bureau of reclamation grant and its potential assistance in establishing the Groundwater Sustainability Plan (GSP); questions the necessary staff needed to manage each basin; the Flood Control District’s (FCD) policy; potential cost reductions from Groundwater Sustainability Agency (GSA) participants who provide in-kind support; and management of designated Paso Robles Groundwater Basin subareas, with Mr. Horton responding.

**Chairperson Compton:** opens the floor to public comment.

**Mr. Eric Greening; Mr. Jeff Briltz – Templeton Community Services District (TCSD) (letter); Mr. Dick McKinley – City of Paso Robles; Ms. Lynda Auchinachie – Agriculture Department (letter); Mr. Dale Gustin; Mr. Mike Brown – Coalition of Labor, Agriculture and Business (COLAB); Mr. Greg Grewal (letter); Ms. Patricia Wilmore – Paso Robles Wine County Alliance; Ms. Sheila Lyons - Creston**

**Advisory Board (CAB) Vice Chairperson; Mr. Steve Sinton; Mr. John Neil – Atascadero Water Mutual Company, General Manager; Mr. Richard Margetson; Mr. Bill Pelfrey; and Mr. Willy Cunha: speak.**

**Board Members:** address the comments from the public; discuss the options moving forward; question potential adjudication impacts; GSAs participation; funding strategies; phase 1 timeframes and funding it through the FCD.

**Supervisor Gibson:** states he is supportive of advancing funds for the continued work on establishing GSAs; 4 out of the 5 basins are on good track and encourages staff to continue those efforts; suggests the County work in partnership with agencies to form one GSA to work towards one GSP for the County; and has a concern that the funding decision needs to be moved up into Phase 1 to secure funding before exploring GSA’s.

**The Board, acting as both the San Luis Obispo County Board of Supervisors and the San Luis Obispo County Flood Control and Water Conservation District: receives an update on the implementation of the Sustainable Groundwater Management Act (SGMA) Strategy adopted by the County and District; amends the SGMA Strategy to align the approach for the Paso Basin with the approach adopted for the other high and medium priority basins; supports the Paso Robles Area Sub basin boundary modification request proposed by the Monterey County Water Resources Agency (MCWRA) and directs the Public Works Director to prepare and provide a letter of support to the MCWRA; and instructs staff to move forward with Phase 1, establishing the Groundwater Sustainability Agencies (GSA's) using Flood Control and Water Conservation District funding.**

**Motion by:** Frank R. Mecham  
**Second by:** Debbie Arnold

Compton, Lynn (Chairperson)	x			
Hill, Adam (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Arnold, Debbie (Board Member)	x			

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **TOMMY GONG**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, May 24, 2016, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

**TOMMY GONG**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

**DATED:** May 27, 2016